

subchapter during a Presidential election period.

(Added Pub. L. 103-425, §2(a), Oct. 31, 1994, 108 Stat. 4369.)

#### **§ 4509. Prohibition of cash award to Executive Schedule officers**

No officer may receive a cash award under the provisions of this subchapter, if such officer—

(1) serves in—

(A) an Executive Schedule position under subchapter II of chapter 53; or

(B) a position for which the compensation is set in statute by reference to a section or level under subchapter II of chapter 53; and

(2) was appointed to such position by the President, by and with the advice and consent of the Senate.

(Added Pub. L. 103-425, §2(a), Oct. 31, 1994, 108 Stat. 4370.)

### **SUBCHAPTER II—AWARDS FOR COST SAVINGS DISCLOSURES**

#### **AMENDMENTS**

1981—Pub. L. 97-35, title XVII, §1703(a), Aug. 13, 1981, 95 Stat. 755, added subchapter II.

#### **§ 4511. Definition and general provisions**

(a) For purposes of this subchapter, the term “agency” means any Executive agency.

(b) A cash award under this subchapter is in addition to the regular pay of the recipient. Acceptance of a cash award under this subchapter constitutes an agreement that the use by the Government of an idea, method, or device for which the award is made does not form the basis of a further claim of any nature against the Government by the employee, his heirs, or assigns.

(Added Pub. L. 97-35, title XVII, §1703(a), Aug. 13, 1981, 95 Stat. 755.)

#### **EFFECTIVE DATE**

Subchapter effective Oct. 1, 1981, see section 1703(c) of Pub. L. 97-35, set out as an Effective Date of 1981 Amendment note under section 4501 of this title.

#### **AUTHORITY TO MAKE AWARDS**

Pub. L. 102-487, §1(c), Oct. 24, 1992, 106 Stat. 3134, provided that: “Awards may be made under subchapter II of chapter 45 of title 5, United States Code, on and after the date of the enactment of this Act [Oct. 24, 1992].”

#### **§ 4512. Agency awards for cost savings disclosures**

(a) The Inspector General of an agency, or any other agency employee designated under subsection (b), may pay a cash award to any employee of such agency whose disclosure of fraud, waste, or mismanagement to the Inspector General of the agency, or to such other designated agency employee, has resulted in cost savings for the agency. The amount of an award under this section may not exceed the lesser of—

(1) \$10,000; or

(2) an amount equal to 1 percent of the agency's cost savings which the Inspector General, or other employee designated under subsection

(b), determines to be the total savings attributable to the employee's disclosure.

For purposes of paragraph (2), the Inspector General or other designated employee may take into account agency cost savings projected for subsequent fiscal years which will be attributable to such disclosure.

(b) In the case of an agency for which there is no Inspector General, the head of the agency shall designate an agency employee who shall have the authority to make the determinations and grant the awards permitted under this section.

(Added Pub. L. 97-35, title XVII, §1703(a), Aug. 13, 1981, 95 Stat. 755; amended Pub. L. 99-145, title XII, §1225(b)(2), Nov. 8, 1985, 99 Stat. 730.)

#### **AMENDMENTS**

1985—Subsec. (c). Pub. L. 99-145 struck out subsec. (c) which provided that the Inspector General, or other employee designated under subsection (b), shall submit to the Comptroller General documentation substantiating any award made under this section and that the Comptroller General shall, from time to time, review awards made under this section and procedures used in making such awards to verify the cost savings for which the awards were made.

#### **§ 4513. Presidential awards for cost savings disclosures**

The President may pay a cash award in the amount of \$20,000 to any employee whose disclosure of fraud, waste, or mismanagement has resulted in substantial cost savings for the Government. In evaluating the significance of a cost savings disclosure made by an employee for purposes of determining whether to make an award to such employee under this section, the President may take into account cost savings projected for subsequent fiscal years which will be attributable to the disclosure. During any fiscal year, the President may not make more than 50 awards under this section.

(Added Pub. L. 97-35, title XVII, §1703(a), Aug. 13, 1981, 95 Stat. 755.)

#### **[§ 4514. Repealed. Pub. L. 102-487, §1(a), Oct. 24, 1992, 106 Stat. 3134]**

Section, added Pub. L. 97-35, title XVII, §1703(a), Aug. 13, 1981, 95 Stat. 756; amended Pub. L. 99-145, title XII, §1225(b)(1)(A), Nov. 8, 1985, 99 Stat. 730; Pub. L. 100-611, §1(a), Nov. 5, 1988, 102 Stat. 3179, provided that no award could be made under this subchapter after Sept. 30, 1990.

### **SUBCHAPTER III—AWARD TO LAW ENFORCEMENT OFFICERS FOR FOREIGN LANGUAGE CAPABILITIES**

#### **AMENDMENTS**

1992—Pub. L. 102-378, §2(20), Oct. 2, 1992, 106 Stat. 1348, substituted “OFFICERS” for “OFFICER”.

#### **§ 4521. Definition**

For the purpose of this subchapter, the term “law enforcement officer” means—

(1) a law enforcement officer within the meaning of section 5541(3) and to whom the provisions of chapter 51 apply;

(2) a member of the United States Secret Service Uniformed Division;

- (3) a member of the United States Park Police;
- (4) a special agent in the Diplomatic Security Service;
- (5) a probation officer (referred to in section 3672 of title 18); and
- (6) a pretrial services officer (referred to in section 3153 of title 18).

(Added Pub. L. 101-509, title V, § 529 [title IV, § 408(a)], Nov. 5, 1990, 104 Stat. 1427, 1467; amended Pub. L. 102-141, title VI, § 627, Oct. 28, 1991, 105 Stat. 874; Pub. L. 102-378, § 2(21), Oct. 2, 1992, 106 Stat. 1348.)

#### AMENDMENTS

1992—Pub. L. 102-378 amended section generally, substituting in par. (1) “section 5541(3)” for “section 8331(20) or section 8401(17)”.

1991—Pub. L. 102-141 amended section generally. Prior to amendment, section read as follows: “For the purpose of this subchapter, the term ‘law enforcement officer’ has the same meaning as under section 5949(a).”

#### EFFECTIVE DATE

Section 529 [title IV, § 408(d)] of Pub. L. 101-509 provided that: “The amendments made by this section [enacting this subchapter and amending provisions set out as a note under section 5541 of this title] shall be effective on January 1, 1992.”

#### TRANSFER OF FUNCTIONS

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

### § 4522. General provision

An award under this subchapter is in addition to the basic pay of the recipient.

(Added Pub. L. 101-509, title V, § 529 [title IV, § 408(a)], Nov. 5, 1990, 104 Stat. 1427, 1467.)

### § 4523. Award authority

(a) An agency may pay a cash award, up to 5 percent of basic pay, to any law enforcement officer employed in or under such agency who possesses and makes substantial use of 1 or more foreign languages in the performance of official duties.

(b) Awards under this section shall be paid under regulations prescribed by the head of the agency involved (or designee thereof). Regulations prescribed by an agency head (or designee) under this subsection<sup>1</sup> shall include—

- (1) procedures under which foreign language proficiency shall be ascertained;
- (2) criteria for the selection of individuals for recognition under this section; and
- (3) any other provisions which may be necessary to carry out the purposes of this subchapter.

(Added Pub. L. 101-509, title V, § 529 [title IV, § 408(a)], Nov. 5, 1990, 104 Stat. 1427, 1467.)

<sup>1</sup> So in original. Probably should be “subsection”.

## CHAPTER 47—PERSONNEL RESEARCH PROGRAMS AND DEMONSTRATION PROJECTS

Sec.	Definitions.
4701.	Research programs.
4702.	Demonstration projects.
4703.	Allocation of funds.
4704.	Regulations.
4705.	Renumbered.]

#### AMENDMENTS

1998—Pub. L. 105-362, title XIII, § 1302(b)(2)(B)(ii), Nov. 10, 1998, 112 Stat. 3293, added item 4705 and struck out former items 4705 “Reports” and 4706 “Regulations”.

### § 4701. Definitions

(a) For the purpose of this chapter—

(1) “agency” means an Executive agency and the Government Printing Office, but does not include—

(A) a Government corporation;

(B) the Federal Bureau of Investigation, the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Security Agency, and, as determined by the President, any Executive agency or unit thereof which is designated by the President and which has as its principal function the conduct of foreign intelligence or counter-intelligence activities; or

(C) the Government Accountability Office;

(2) “employee” means an individual employed in or under an agency;

(3) “eligible” means an individual who has qualified for appointment in an agency and whose name has been entered on the appropriate register or list of eligibles;

(4) “demonstration project” means a project conducted by the Office of Personnel Management, or under its supervision, to determine whether a specified change in personnel management policies or procedures would result in improved Federal personnel management; and

(5) “research program” means a planned study of the manner in which public management policies and systems are operating, the effects of those policies and systems, the possibilities for change, and comparisons among policies and systems.

(b) This chapter shall not apply to any position in the Drug Enforcement Administration which is excluded from the competitive service under section 201 of the Crime Control Act of 1976 (28 U.S.C. 509 note; 90 Stat. 2425).

(Added Pub. L. 95-454, title VI, § 601(a), Oct. 13, 1978, 92 Stat. 1185; amended Pub. L. 96-54, § 2(a)(21), Aug. 14, 1979, 93 Stat. 382; Pub. L. 101-474, § 5(g), Oct. 30, 1990, 104 Stat. 1100; Pub. L. 103-359, title V, § 501(f), Oct. 14, 1994, 108 Stat. 3429; Pub. L. 104-201, div. A, title XI, § 1122(a)(1), Sept. 23, 1996, 110 Stat. 2687; Pub. L. 108-136, div. A, title IX, § 921(g), Nov. 24, 2003, 117 Stat. 1570; Pub. L. 108-271, § 8(b), July 7, 2004, 118 Stat. 814.)

#### AMENDMENTS

2004—Subsec. (a)(1)(C). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office”.

2003—Subsec. (a)(1)(B). Pub. L. 108-136 substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency”.